



American Conference Institute's Fourth National Forum on

Reinsurance Agreements

New Approaches for Ensuring Comprehensive and Secure Business Arrangements
in a Changing Regulatory Environment

**Network with and gain insight
from industry leaders:**

ACE Group
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Everest Re
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New York State Department of Insurance
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Transatlantic Reinsurance Company
Willis Re
Zurich North America

**Don't Miss the Interactive Workshop
April 29, 2008**

The Reinsurance Agreements Swap: An
Unparalleled Benchmarking Opportunity

April 28-29, 2008 | Flatotel, New York City

**Industry leaders from cedents, reinsurers, brokers, regulators,
and top law firms will provide expert advice and strategic insights on:**

- Preparing your agreements to account for evolving collateral requirements
- Achieving specificity and reducing uncertainty of key terms and provisions
- Innovative approaches for achieving contract certainty
- Strategies for crafting special termination and commutation provisions that protect your interests
- Securing comprehensive access to records clauses while maintaining confidentiality
- Obtaining beneficial dispute resolution and arbitration provisions

Featuring a panel of experts discussing the latest negotiating and drafting strategies for industry loss warranties (ILWs), catastrophe bonds, and sidecars.



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In the evolving reinsurance industry, having airtight contracts is more important now than ever before. In light of the relaxed collateral requirements currently under consideration by NAIC and New York state, the desirability of achieving contract certainty in a timely manner, and current trends in the negotiating and wording of key contract provisions, creating comprehensive and secure reinsurance agreements is an absolute necessity. Cedents, reinsurers, brokers, and private practice attorneys specializing in insurance and reinsurance must be prepared to confront the latest challenges and take advantage of the newest opportunities in negotiating and drafting reinsurance agreements.

American Conference Institute's Fourth National Forum on Reinsurance Agreements is specifically tailored to provide you with the knowledge, strategies, and expert advice that you need to:

- Prepare agreements that account for evolving collateral requirements
- Achieve specificity and reduce uncertainty of key terms and provisions
- Overcome obstacles that impair the process of achieving contract certainty
- Craft special termination and commutation provisions that protect your interests
- Create comprehensive access to records clauses while maintaining confidentiality
- Obtain beneficial dispute resolution and arbitration provisions
- Negotiate and draft alternative reinsurance structures

Take advantage of this unique opportunity to network with industry leaders while learning the most current strategies and techniques that you need to create comprehensive reinsurance agreements. This must-attend event will fill up quickly, so register today by calling **1-888-224-2480** or by faxing your registration form to **1-877-927-1563**. You can also register online at www.AmericanConference.com/reagree.

Who You Will Meet

- In-house counsel from insurance and reinsurance companies
- Insurance and reinsurance professionals, including contract wording personnel, claims specialists, and underwriters
- Private practice attorneys specializing in insurance and reinsurance
- Reinsurance brokers
- Insurance and reinsurance regulators
- Consultants specializing in insurance and reinsurance

Continuing Legal Education Credits

Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This *transitional* course is appropriate for both experienced and newly admitted attorneys.



ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of 11.0 hours. An additional 3.5 credit hours will apply to workshop participation.

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ACI has a dedicated team who process requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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DAY ONE: MONDAY APRIL 28, 2008

8:00 Registration Opens and Continental Breakfast

9:00 Opening Remarks from Conference Co-Chairs

Jeff Kayl, Esq.
Vice President
Everest Global Services

Richard M. Lagani
Senior Vice President and Chief Operating Officer
AIG Product Development – General Insurance

9:15 Collateral Requirements: New Provisions to Address Evolving Regulatory Regimes

Robert H. Easton
Deputy Superintendent and General Counsel
New York State Department of Insurance

Jeff Kayl, Esq.
Vice President
Everest Global Services

Stephen W. Schwab
Partner, Co-Coordinator of the Global Insurance Practice
Steering Committee
DLA Piper US LLP

Richard M. Shaw
Senior Vice President
Towers Perrin Reinsurance

Moderator:

Richard M. Lagani
Senior Vice President and Chief Operating Officer
AIG Product Development – General Insurance

- Implications of proposed NAIC, Florida, and New York changes to credit for reinsurance and collateral requirements
- Addressing the issue of enforceability of judgments against insurers that are not required to post collateral to provide reinsurance credit
- Negotiating and drafting provisions for credit for reinsurance, contractual collateral requirements and related issues
- Identifying and addressing contract concerns that could arise after credit for reinsurance and collateral requirements are changed

10:30 Networking Coffee Break 

10:45 Achieving Specificity in Key Clauses

Joseph L. Pulvirenti
Vice President & Contract Wording Manager
Partner Reinsurance Company of the U.S.

Rajiv N. Raval
Partner
Lovells LLP

Claudio A. Ronzitti, Jr.
Assistant General Counsel
ACE Tempest Re Group

- Crafting and defining contract provisions to accurately reflect business intent:
 - Business covered
 - Limits, retentions and reinstatements
 - Key definitions:
 - Ex-gratia
 - Risk
 - Event
 - Territorial limits
 - Loss and loss settlements
 - Other key terms
- Determining when and where to use “sole judgment” or “sole discretion” language
- Drafting “follow the fortunes” and “follow the settlements” provisions

12:00 Networking Luncheon 

1:15 Contract Certainty: Innovative Approaches for Expediting the Process

Jeffrey C. Crouch
Senior Vice President
Aon Re Inc.

Richard M. Lagani
Senior Vice President and Chief Operating Officer
AIG Product Development – General Insurance

Maxine H. Verne
Senior Vice President & General Counsel
SCOR Reinsurance Company

Moderator:

Jeff Kayl, Esq.
Vice President
Everest Global Services

- Implementing standardized procedures to reduce uncertainty and increase efficiency
- Benefiting from the use of standardized language
- Adapting your process to allow for realistic timeframes
- “Getting into the heads” of counterparties: what cedents, brokers, and reinsurers are looking for
- Special considerations when dealing with non-U.S. parties

2:30 **Protecting Your Interests in the Event of Insolvency or Run-Off**

Myra E. Lobel
Managing Director
Guy Carpenter & Company, Inc.

Francine L. Semaya
Member
Chair - Insurance Corporate & Regulatory Practice Group
Cozen O'Connor

- Understanding what protections an insolvency clause can and cannot provide
- When and where to include cut-through provisions and how they affect your interests
- When offset provisions should and should not be narrowed
- Addressing concerns relating to impact of schemes of arrangement on run-off procedures
- How Part VII transfers differ from schemes of arrangement and what they mean for your company

3:30 **Afternoon Refreshment Break**

3:45 **Strategies and Considerations for Special Termination, Commutations and Other Security Provisions**

Edward J. Kelley
Vice President and Assistant General Counsel
Transatlantic Reinsurance Company

Deborah Giss Stalker
Associate General Counsel
Global Reinsurance
ACE Group

Brooks White
Vice President
Zurich North America

Moderator:

Jeff Kayl, Esq.
Vice President
Everest Global Services

- Expanding or limiting special termination provisions to meet your needs
- Determining when to grant a unilateral right to commute
- Negotiating appropriate rating triggers for your situation
- Resolving special funding conflicts
- Implications of termination by run-off and by cut-off

5:00 **Conference Adjourns for the Day**

DAY TWO:
TUESDAY, APRIL 29, 2008

8:30 **Continental Breakfast**

9:00 **Co-Chairs' Recap and Remarks**

9:15 **Building Airtight Access to Records Clauses While Maintaining Confidentiality**

Jim Foster
Senior Vice President, Everest Reinsurance Company
President, Mt. McKinley Insurance Company

Deirdre G. Johnson
Partner
Dewey & LeBoeuf LLP

Damon N. Vocke
Senior Vice President & General Counsel
General Reinsurance Corporation

- Avoiding over- and under-inclusive language: how to strike the balance
- Determining who should have access to records and when
- Recognizing and addressing issues relating to attorney/client privilege
- Negotiating and drafting confidentiality agreements to overcome access hurdles
- Avoiding access disputes relating to timeliness and status of payments

10:15 **Networking Coffee Break** ☕

10:30 **Anticipating Reinsurance Disputes: Contract Wordings That Facilitate Resolutions**

Brett H. Ludwig
Partner
Foley & Lardner LLP

Peter Szendro
Senior Vice President & Reinsurance Counsel
Willis Re Inc.

James Veach
Partner
Mound Cotton Wollan & Greengrass

Moderator:

Kevin Helewa (Invited)
Vice President and Associate General Counsel
Everest Reinsurance Company

- How and when to use tiered arbitration wordings to allow for litigation

- Addressing disclosure and evidentiary matters in arbitration agreements
- Determining the qualification requirements and selection process for arbitration panel members
- Providing for consolidated proceedings
- Confirming or objecting to final awards
- How the arbitration agreement relates to other contract provisions:
 - Errors and omissions
 - Access to records

11:45 **Catastrophe Bonds, Sidecars and ILWs: Negotiating and Drafting Alternative Reinsurance Structures**

David N. Kragseth
Vice President & Chief Contracts Officer
Munich Reinsurance America, Inc.

Albert J. Pinzón
Partner
Stroock & Stroock & Lavan LLP

Amy E. Stern
Senior Vice President
Willis Capital Markets

- Common structures of insurance-linked securitization (ILS) arrangements
- Use of cat bonds, sidecars, and industry loss warranties (ILWs) to provide additional capacity
- Impact of ILS arrangements on the private reinsurance market
- Strategies and techniques for drafting contracts within ILS arrangements

1:00 **Conference Concludes**

POST-CONFERENCE WORKSHOP: TUESDAY APRIL 29, 2008

2:00 p.m. – 5:00 p.m.

The Reinsurance Agreements Swap: An Unparalleled Benchmarking Opportunity

Daniel Feins, Esq.
Director
Everest Global Services

Jeff Kayl, Esq.
Vice President
Everest Global Services

In this unique and interactive workshop, participants will have the opportunity to submit actual reinsurance agreements for analysis and discussion. Led by reinsurance industry leaders Jeff Kayl and Daniel Feins, participants will discuss problems they have encountered and practical solutions to overcome them, as well as pose questions and hypotheticals for group discussion. You will also receive copies of all documents submitted, allowing you to benchmark your contracts against those used by others in the industry.

Do not miss this unique opportunity to have your actual contracts reviewed and commented on by other reinsurance professionals.

Due to the nature of the program, registrants for this workshop will be contacted in advance of the program to provide the documents that will be shared.



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Unparalleled Learning and Networking

ACI understands that gaining perspectives from – and building relationships with – your fellow delegates during the breaks can be just as valuable as the structured conference sessions. ACI strives to make both the formal and informal aspects of your conference as productive as possible.

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Hotel Information

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "Reinsurance Agreements" conference to receive this rate.

VENUE: Flatotel
ADDRESS: 135 West 52nd Street, New York
RESERVATIONS: 800-352-8683

Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

Cancellation and Refund Policy

Substitution of participants is permissible without prior notification. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other **ACI** conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. **ACI** reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **ACI** for changes in program date, content, speakers or venue.

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